



ITFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/643,878 Confirmation No.: 5214
Applicant : Kevin T. FOLEY et al.
Filed : August 20, 2003
Title : SYSTEM AND METHOD FOR SECURING A PLATE TO THE
SPINAL COLUMN
TC/Art Unit : 3731
Examiner: : Daniel Jacob DAVIS
Attorney Docket No. : 64118.000036
Customer No. : 21967

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action dated November 24, 2004 in the above-identified patent application, Applicants hereby elect Group I, claims 1-11 with traverse.

Reconsideration and withdrawal of the restriction requirement are respectfully requested.

Applicants respectfully submit that no undue burden will be placed on the U.S. Patent and Trademark Office in examining all the currently pending claims in the application. Therefore, the restriction requirement should be withdrawn under MPEP § 803, which provides:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

MPEP § 803.

If there are any questions regarding this Response or the application in general, the Examiner is encouraged to contact the undersigned at the phone number listed below.


It is believed that no fees are due with this Response. However, in the event any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: December 22, 2004

By:


Tyler Maddy
Registration No. 40,074

HUNTON & WILLIAMS LLP
Intellectual Property Department
1900 K Street, N.W.
Suite 1200
Washington, DC 20006
(202) 955-1500 (telephone)
(202) 778-2201 (facsimile)